



THE CITY OF NEW YORK  
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August 12, 2022

**VIA ECF**

Hon. Lorna G. Schofield  
United States District Court for the  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *C.C. and L.C. obo H.C. v. N.Y. City Dep't of Educ.*,  
Index No. 22 CV 334 (LGS)(OTW)

Dear Judge Schofield:

I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York and attorney for Defendant New York City Department of Education in the case referenced above. I submit this status letter jointly with Plaintiffs' counsel and pursuant to the Court's Order dated August 1, 2022.

As the Court may recall, the only remaining claim in this action is Plaintiffs' claim for reasonable attorneys' fees, costs, and expenses. The parties are engaged in settlement discussions, but have not yet reached agreement. We respectfully request that the Court allow the parties another three weeks, or to September 2, 2022, to either submit a stipulation of settlement or another status letter. The parties also respectfully request that the Court grant a corresponding extension of the deadline for Plaintiffs to serve their initial papers in support of a summary judgment motion, or an extension to September 8, 2022. Finally, the parties respectfully request that the Court also extend the other dates in the briefing schedule by the same three weeks.

This is the fifth request made to adjust the briefing schedule. The original deadline for Plaintiffs to serve and file their initial papers was June 7, 2022, but the Court granted the parties' previous four requests for additional time. No other scheduled dates will be impacted by the proposed extension. The parties recognize that the Court has given them ample time to resolve this matter. We fully expect to reach agreement, or acknowledge that we are at impasse, during

this proposed period of time. I have communicated with William DeVinney, Esq., Plaintiffs' attorney, and as indicated, this request is made jointly.

Thank you for your consideration of this matter.

Respectfully submitted,

s/

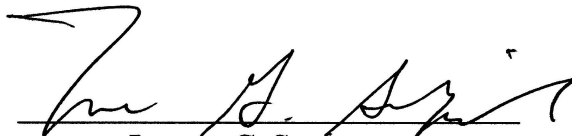
Andrew J. Rauchberg  
Assistant Corporation Counsel

cc: William DeVinney, Esq.  
Briglia Hundley PC  
Attorneys for Plaintiffs

Application **GRANTED**. By **September 2, 2022**, the parties shall file either a stipulation of settlement or another status letter. If no settlement is reached by September 2, 2022, Plaintiffs shall file their motion for summary judgment by **September 8, 2022**, not to exceed 25 pages. By **September 29, 2022**, Defendant shall file the opposition and any cross-motion for summary judgment, not to exceed 30 pages. By **October 20, 2022**, Plaintiff shall file a reply and opposition to Defendant's cross-motion for summary judgment if any, not to exceed 15 pages. By **November 10, 2022**, Defendant shall file a reply in support of the cross-motion for summary judgment if any, not to exceed 10 pages. Notwithstanding these aforementioned page limits, each party has discretion over how to allocate its respective 40 pages total of briefing across its two briefs, provided neither party exceeds the 40 pages of briefing total.

In lieu of separate Local Rule 56.1 statements, the parties shall file a joint statement of undisputed facts ("Joint Statement"), with citations to the Bates-stamped Record, by the time that the first brief is due. (See Dkt. No. 11.) No further extensions of the briefing schedule will be granted absent extraordinary circumstances.

Dated: August 16, 2022  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**